

REMARKS

The applicant's remarks are preceded by related comments of the examiner in bold small type.

Claims 1-27, 32, and 41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, particularly, an abstract idea.

The Examiner notes that the disclosed invention is within the technological arts. The claimed invention is also noted not to be a computer program, data structure, a natural phenomenon, and a non-descriptive material per Se. The claimed invention does not include a series of steps to be performed by a computer. The claimed invention also is not a product for performing a process, not it is a specific machine or manufacture. The claimed invention is not a specific tangible machine or process for facilitating a business transaction. Claims 1-27, 32, and 41 do not appear to correspond to a specific machine or manufacture disclosed within the instant specification and thus encompasses any product of the class configured in any manner to perform the underlying process. The claimed invention of claims 1-27, 32, and 41 also does not include a post-computer process activity or a pre-computer process activity. Thus, no physical transformation is performed, no practical application in the technological art is found. Consequently, claims 1-27, 32, and 41 are analyzed based upon the underlying process, and are thus rejected as being directed to a non-statutory process.

Without conceding the examiner's position (with which the applicant disagrees), the applicant has amended claims.

2. Claims 1-12, 15-21, 23-24, 26-32 and 41-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Solokl et al. (U.S. Patent No. 6,173,269).

As per claim 1, Solokl et al. disclose a computer method or fund transferred includes a holder of a financial account to predefine a virtual account associated with the financial account (18) (Internet passport account). The virtual account has an associated limitation/restrictions on a payment and/or identity of the third party from the financial account (column 3, lines 56-60) (column 5, lines 38-42) (column 5, lines 56-66) (column 6, lines 51-56). Further, Solokl et al. also disclose a response to a request made by the third party for payment i.e. vendors, master, visa and etc. using the virtual account information, and a means to prevent any payment from the financial account that is outside the limitation associated with the virtual account.

The applicant disagrees. In claim 1, the third party makes a request for payment "using the virtual account information". The examiner apparently has inferred that, in Solokl's system, the request for payment uses "virtual account information", but that does not seem to be the case. To the contrary, it appears that, in Solokl, the merchant uses a real account number of a real account in the financial institution to request and receive payment: "... the service provides the merchant with valid account information, e.g. via the service's financial institution 20, which the merchant can access pursuant to a transaction with a teen member of the service. The merchant uses their settlement firm 28

to access this account via the ACH network 19 and funds are then transferred to the merchant's bank 29." (column 6, beginning at line 24). Thus, a third party using virtual account information to request payment, as in claim 1, was not disclosed in and would not have been obvious from Solokl.

Claims 23, 28, 31, 41, and 42 have been cancelled for the moment without prejudice or disclaimer.

Claims 29 and 30 are patentable for at least the same reasons as claim 1.

As per claims 2-10, ...
As per claims 11 and 12, ...
As per claims 15-21, ...

Claims 2 through 12 and 15 through 21 are patentable for at least the same reasons as the claims on which they depend.

As per claims 23-24, and 26-31, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale. In addition, Solokl et al. disclose an approved list by the parents/adults of merchants, merchants' categories and etc. therefore, it is understood that the system, as taught by Solokl et al. is capable to block payment from the financial account that would violate either of the predefined limits. Furthermore, Solokl et al. teach a database as a storage medium to store user file (column 6, line 63-column 7, line 32).

Claims 23, 24, 28, and 31 have been cancelled for the moment, without prejudice or disclaimer.

Claims 26, 27, 29, and 30 are patentable for at least the same reasons as claim 1.

As per claim 32, the claim contains features addressed in the above claims, and therefore, is rejected under the same rationale. In addition, Solokl et al. disclose a first party (a holder's checking or saving account) giving to a second party a file identifier (virtual account) identifying the first party's file with an intermediary party (virtual account's handler) and a virtual account identifier identifying a virtual account maintained by the intermediary party on behalf of the first party.

In claim 32, the first party (e.g., the buyer) gives the second party (e.g., the merchant) the virtual account identifier. By contrast, in Solokl, the teenager does not apparently give the virtual account identifier to the merchant.

3. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl et al. ...

Claims 13 and 14 are patentable for at least the same reasons as claim 1.

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4. Claims 22, 25, 33-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl et al. in view of Pepe et al. (U.S. Patent No. 5,742,905).

Solokl et al. have all the features of the invention but lack the teaching of using the telephone to access the account. Pepe et al. teach a means for using a telephone (wireless communication) to access the information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of Solokl et al. and combine with Pepe et al. to have a system that allows telephone to access the financial account.

As per claims 33-40, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale.

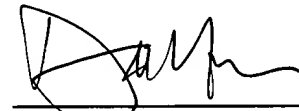
These claims have been cancelled for the moment, without disclaimer or prejudice.

The fact that the applicant has addressed certain positions of the examiner should not be construed as a concession of other positions that have not been addressed. The fact that the applicant has made arguments in favor of the patentability of certain claims does not mean that there are not other good arguments for patentability of those claims or other claims.

Please apply any other charges or credits to deposit account 06-1050, reference 11602-002002.

Respectfully submitted,

Date: 9/2/3



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